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7 UNITED STATES DISTRICT COURT
8 CENTRAL DISTRICT OF CALIFORNIA
9 WESTERN DIVISION
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11 VICTOR CHAVEZ,) No. CV 08-6512-JVS (PLA)
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13 Petitioner,)
14)
15 v.)
16 JAMES YATES, Warden,)
17)
18 Respondent.)
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Pursuant to 28 U.S.C. § 636, the Court has reviewed the entire file de novo, including the magistrate judge's final report and recommendation filed herein and petitioner's objections. The Court agrees with the recommendations of the magistrate judge.

ACCORDINGLY, IT IS ORDERED:

1. The final report and recommendation is adopted.
2. Respondent's Motion to Dismiss is granted.
3. Judgment shall be entered consistent with this order.

DATED: July 14, 2009

HONORABLE JAMES V. SELNA
UNITED STATES DISTRICT JUDGE